

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA**

SANDRA HUNTER, Individually and On
Behalf of All Others Similarly Situated,

Plaintiff,

-v-

ELANCO ANIMAL HEALTH
INCORPORATED, *et al.*,

Defendants.

Case No. 1:20-cv-01460-SEB-DML

DEFENDANTS' MOTION TO DISMISS THE FIRST AMENDED COMPLAINT

Pursuant to Rules 8, 9(b), and 12(b)(6) of the Federal Rules of Civil Procedure, and the Private Securities Litigation Reform Act of 1995, 15 U.S.C. § 78u-4 *et seq.*, Defendants Elanco Animal Health Incorporated, Jeffrey N. Simmons, Todd S. Young, James M. Meer, R. David Hoover, Kapila K. Anand, John P. Bilbrey, Art A. Garcia, Michael J. Harrington, Deborah T. Kochevar, Lawrence E. Kurzius, Kirk McDonald, and Denise Scots-Knight (collectively, the “Defendants”) respectfully move the Court for an Order dismissing Lead Plaintiff Sandra Hunter and plaintiff Marla Strappe’s First Amended Class Action Complaint (ECF No. 34) in its entirety and with prejudice for failure to state a claim upon which relief can be granted, as set forth in the accompanying Memorandum of Law and the Declaration of Stacy Nettleton.

Dated: January 13, 2021

Respectfully submitted,

/s/ John A. Neuwirth

John A. Neuwirth

Greg Silbert

Stacy Nettleton

Justin D. D'Aloia

WEIL, GOTSHAL & MANGES LLP

767 Fifth Avenue

New York, New York 10153

Tel: (212) 310-8000

Fax: (212) 310-8007

-and-

Paul A. Wolfla

Emanuel L. McMiller

FAEGRE DRINKER BIDDLE & REATH LLP

300 N. Meridian Street, Suite 2500

Indianapolis, Indiana 46204

Tel: (317) 237-0300

Fax: (317) 237-1000

Wendy J. Wildung

FAEGRE DRINKER BIDDLE & REATH LLP

2200 Wells Fargo Center

90 S. Seventh Street

Minneapolis, Minnesota 55402

Tel: (612) 766-7000

Fax: (612) 766-1600

Attorneys for Defendants

CERTIFICATE OF SERVICE

I certify that on January 13, 2021, I filed a copy of the foregoing was filed electronically via the Court's CM/ECF system. Service of this filing will be made on all ECF-registered counsel by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ John A. Neuwirth
John A. Neuwirth